

### **REMARKS**

This is in full and timely response to the Official Action of April 10, 2007. A petition to extend the time for this response to within the first extended month accompanies this submission. Reexamination and reconsideration is respectfully requested in light of the accompanying Information Disclosure Statement, the amendments to the claims clarifying the scope of the invention sought to be patented, and the following points of argument.

As an overview, Claims 1 to 30 were pending in this application. Claims 1, 2, 4, 17, 18 and 20 have been amended as indicated to clarify the 3-D viewing nature of the claimed invention as amended.

#### **Priority Claim**

It is appreciated that the initial Action acknowledged receipt of the claim for priority and the accompanying priority papers.

#### **Drawings**

A request to amend the drawings as filed is included in this response to label Figs. 18, 19, 20A, 20B and 21 as –Prior Art- according to pages 1 to 3 of the specification as filed.

#### **Substitute Specification**

The Action states that it is in response to the communication of December 16, 2004 which was a submission of a substitute specification. Presumably, that document was approved and entered in this application to prepare this application for final printing.

#### **Information Disclosure Statement**

An information disclosure statement accompanies this submission bringing to the attention of the examiner a copending application of this Applicant and references cited in that

compending application. Specifically, that compending application, actually filed on September 3, 2003, shortly before the actual filing date of this application on October 2, 2003 is not a reference against this application having a priority date in Japan of October 11, 2002, a date which antedates the actual filing date. Moreover, the '843 application was not published until June 24, 2004 in the U.S. That application is pending in Art Unity 282 before Examiner Audrey Y. Chang. Please consider those references in connection with the patentability of this application and the claims of this application in light of the claims of the compending application so that a provisional double patenting rejection can be obviated.

#### REJECTIONS UNDER 35 USC 102

Claims 1 to 4 are rejected under 35 USC 102(e) as being anticipated by Faris (U.S. Patent No. 6,333,773). While the rejection is stated under section 102(e), it appears to be one based on section 102(b) in that the Faris patent issued on December 25, 2001, a date more than a year prior to the actual filing date of this application, or under section 102(a) if the priority claim is granted as filed some 10 months or so prior to its priority date.

While not indicating an acquiescence or agreement with the statements in the rejection, claims 1, 2 and 4 are amended to distinguish clearly over the Faris patent by emphasizing the polarization means claimed. Support for the amendments provided is found in the specification, drawings and claims as originally filed.

Amended claim 1, for example, features a combination stated for the polarization means used for a three-dimensional image display apparatus for viewing three-dimensional images. Faris is not for viewing 3-D images, but rather for making a linear LCD (see for example its Abstract). Furthermore, the amended claim 1 recites that the polarization means comprises a first area, a second area and a second phase retardation plate for rotating the polarized light of the image information from the second region in a direction opposite to that of the first phase retardation phase. A second retardation plate is provided in the second area on the image display section side.

In contrast, Faris teaches an apparatus that is used for making a linear LCD, not to make a viewing structure for 3-D images, see for example the Abstract and col. 9 lines 36 to col. 10, line 1.

Even if the linear display of Faris were readily adaptable for 3-D viewing as mentioned at col. 10, lines 1 to 11, there is no indication in that passage of the structure and function mentioned in amended claims 1 to 4. It can also be noted that the polarization means of the present invention has at least one phase retardation plate, for example, the second phase retardation plate, and that 3-D images can be viewed by utilizing the polarization means with the three-dimensional image display apparatus having at least one phase retardation plate, for example the first phase retardation plate provided facing at least a portion (for example, the first region) of the image display section thereof. In order to obtain 3-D images, the present claimed invention recites at least two phase retardation plates, one in the polarization means side and the other in the three-dimensional image display apparatus side. Thus, Faris does not disclose or suggest especially the polarization means described and claimed in the present invention.

In contrast, Faris only discloses the use of a micropolarization panel upon the display surface of a LCD plane to obtain 3-D images in col. 10, lines 1 to 8. Faris is silent about using a phase retardation plate in the LCD panel in order to obtain 3-D images. In addition, as the examiner had indicated, at col. 20, lines 22 to 67, Faris discloses the technique of imparting a  $\lambda/2$  phase retardation region/structure to each of the pass-band circularly polarizing reflective elements. However, this technique of Faris is to convert the circular polarization to a linear polarization so as to produce a linear-type LCD and is NOT to display or create 3-D images.

Findings to that effect are appreciated. When so considered and as clarified by the structural recitations amended claims 1 to 4, these claims are free from an anticipation rejection based on Faris.

In addition, the limitations of claim 4 may be noted. That amended claim recites, in combination with claim 1 a feature that the second phase retardation plate is capable of rotating in a

horizontal direction so as to be moved and placed in the first area recited in amended claim 1. This feature is also not seen in Faris.

Withdrawal of the rejection is requested and in order.

### REJECTIONS UNDER 35 USC 103

Claims 5-30 were rejected under 35 USC 103(a) as being unpatentable over Faris (U.S. Patent No. 6,333,773) in view of Goff et al. (U.S. Patent No. 6,417,894). These rejections are respectfully traversed. It is noteworthy that claims 5 to 16 are dependent directly or indirectly on amended claim 1, so the arguments noted above about the distinctions of at least claims 1 and 4 over Faris would suggest withdrawal of these rejections as well. In addition, claim 17 is amended to recite the polarization means similarly to claim 1 so that the arguments applicable to the rejection on Faris alone for claim 1 are hereby incorporated by reference. Claims 18 to 30 depend directly or indirectly on claim 17 and are patentable for at least the same reasons and for their own limitations.

To the extent that specific arguments might not be included in this response as to the specific limitations of claims 6 to 16 and 18 to 30, such arguments are not waived if the examiner persists in his rejection of any of these claims.

As noted above, the polarization means of the present invention has at least one phase retardation plate (the second phase retardation plate), and 3-D images can be viewed by utilizing the polarization means with the three-dimensional image display apparatus having at least one phase retardation plate (the first phase retardation plate) provided facing at least a portion (the first region) of the image display section thereof. In order to obtain 3-D images, the present invention needs at least two phase retardation plate, one in the polarization means side and the other in the three-dimensional image display apparatus side. That structure is not found in Faris and not satisfied by reference to Goff, even assuming that the combination were otherwise proper.

Faris does not disclose nor suggest especially the polarization means described in the present invention and as admitted in the stated rejection does not teach the position holding means.

Specifically, it was found that Faris is silent about a position holding mechanism which is the crux of the apparatuses claimed in claims 5 to 30. Thus, even if the combination of Faris and Goff were viable, which is not admitted and only assumed *arguendo*, the claimed combinations of claims 5 to 30 (at least to the extent amended) are not met at the very least because of distinctions over Faris alone.

Furthermore, Goff et. al does not disclose nor suggest a position holding mechanism as claimed in any one of claims 5 to 30 or a U-shaped attachment portion of the present invention. Indeed, the Action specifically admits that claims 21 to 30 and 6 to 16 that Goff's mechanism may not necessarily show all of the claimed limitations in its Fig. 1 but considers those differences to be a design choice. Mapping is respectfully requested for specific findings on this point. Indeed, there is also no suggestion in Goff that its adjustable mechanism is in any way usable in a 3-D viewing mechanism. Rather, Goff's preferred use is in connection with magnifying video or computer screens.

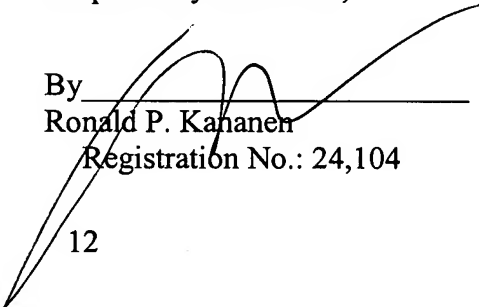
Accordingly, it is submitted that a person ordinary skill in the art cannot come up with the idea of the present invention as claimed in claims 5 to 30 based on only Faris and Goff taken with ordinary skill in the art.

In view of the above amendment, the pending application is believed to be in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-2832 from which the undersigned is authorized to draw.

Dated: August 10, 2007

Respectfully submitted,

By   
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